



# City of Benbrook

## Zoning Board of Adjustments

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| DATE:<br><b>05/28/2019</b> | REFERENCE<br>NUMBER:<br><b>ZBA-19-01</b> | SUBJECT:<br>A request for the alteration of a non-conforming sign for the Benbrook Plaza Shopping Center located at 9441 Benbrook Boulevard and is legally described as Lot A-R-1-R, Block 7, Hilltop Heights Addition. The property is zoned "HC" Highway Corridor District and within the Benbrook Boulevard Corridor Overlay District. [PUBLIC HEARING] | PAGE:<br><br><b>1 of 3</b> |
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**Project Name:** Benbrook Plaza: Multi-tenant Sign

**Request Type:** Alteration of a Non-Conforming Sign

**Site Description:** 8.33 acres or 362,890sqft  
Lot A-R-1-R, Block 7, Hilltop Heights Addition

**Location:** 9441 Benbrook Boulevard

**Zoning District:** "HC" Highway Corridor District and within the Benbrook Blvd Corridor Overlay District

**Property Owner:** Haydn Cutler Company  
Fort Worth, TX

**Applicant** Dynamic Sign Solutions LLC (Jerry Griffis)  
Willis, TX

### Summary

Consider the approval for a request to alter a non-conforming pylon sign for the Benbrook Plaza Shopping Center, located at 9441 Benbrook Boulevard. The property is zoned "HC" Highway Corridor District and within the Benbrook Blvd Corridor Overlay District.

The applicant is proposing the following sign updates:

- Divide existing top sign cabinet into two separate cabinets for future tenants' use. This cabinet currently houses the shopping center name (see Attachment 2)
- Add a new, updated, sign with the shopping center name (see Attachment 3)
- Add stone along the columns to match the building exterior remodel of the shopping center (see Attachment 3)
- Add a landscape island at the bottom of the pylon sign to add warmth to the existing sign (see Attachment 3)
- Rework electrical to provide lighting to all of the panels on the sign

### Background

Benbrook Plaza was built in 1981 and it is presumed that the multi-tenant sign was built around the same time. The sign ordinance in 1981 did not specify height or square footage limitations for multi-tenant pylon signs. But due to changes to the sign code regulations over the years that established sign height and area limitations that are less than the actual dimensions of sign, the sign is considered to be legal non-conforming.

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Haydn Cutler Company purchased the Benbrook Plaza in January 2018. They are working with the City's Economic Development Corporation (EDC) to complete plans updating the exterior of the shopping center, including updating the sign. Dollar Tree was issued a Certificate of Occupancy on April 17, 2019. They now seek to add their tenant name to the existing multi-tenant sign, but in order to alter a non-conforming sign, Zoning Board of Adjustment (ZBA) approval is necessary.

### Staff Analysis

Pylon signs are not permitted within the Benbrook Blvd Corridor Overlay District. Any existing pylon sign, legally constructed, within the overlay district is considered a non-conforming sign. Non-conforming signs may not be altered, unless approved by the ZBA. The ZBA may authorize changes to a non-conforming sign if the request does not further the level of non-conformity and that the long-term goal of bringing signs into compliance is achieved. Staff finds:

- 1) The request does not further the level of non-conformity:

#### **Pylon Sign Requirements:**

- **Maximum Height:** 35ft
  - The existing sign conforms with a height of 34ft. No height alteration is proposed.
- **Minimum Front Yard Setback:** 25ft, plus 1 foot for every foot over 25ft in height
  - The existing sign does not conform with a setback of approximately 30ft. The sign is not being relocated.
- **Minimum Side Yard Setback:** 25ft
  - The existing sign conforms with a side yard setback of approximately 170ft. The sign is not being relocated.
- **Maximum Sign Area:** 120sqft, plus an additional 10% increase for each additional tenant; maximum of 240sqft
  - The existing sign has 328sqft of signage area. Under the current regulations, a sign with 3 tenants would be allowed a maximum of 160sqft = 120sqft (1<sup>st</sup> tenant) + 12sqft (2<sup>nd</sup> tenant) + 12sqft (3<sup>rd</sup> tenant).
  - By redesigning the sign area of the top panel, the applicant is proposing to add 2 more tenant panels, without increasing the total sign area. Under current regulations, 5 panels would allow 168sqft = 120sqft (1<sup>st</sup> tenant) + 48sqft (4 additional tenants).
  - This alteration does not increase the level of non-conformity.
- **Frontage Requirements:** 200ft
  - Conforms with approximately 288ft of frontage. The sign is not being relocated.
- **Design:** Requires the sign faces to be located entirely within two posts or columns. The sign face may not be located lower than 8ft from the ground.
  - The existing sign conforms to the design requirements and the lowest cabinet is about 13.5 feet above the ground.
  - The applicant is proposing to add stone along the columns to match the building exterior remodel of the shopping center. This alteration does not increase the level of non-conformity.

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- 2) The request meets the long-term goal of bringing signs into compliance.
- With the adoption of the Benbrook Blvd Corridor Overlay District, the City has restricted the use of pylon signs. The City allows Unified Commercial Signs (multi-tenant signs); however, Unified Commercial Signs are currently restricted to 160sqft. The City is considering allowing more sign area for multi-tenant signs through the zoning text amendment process.
  - Staff is supportive of allowing the alteration of multi-tenant signs along the corridor while a new sign ordinance amendment is being considered. Staff expects to have a draft presented to the Planning and Zoning Commission and City Council by December of 2020. Staff recommends the ZBA authorize sign face changes for the Benbrook Plaza until a new sign ordinance is considered and/or adopted.
  - Allowing sign face changes for a limited time will meet the City's long-term goal of bringing signs into compliance. If the ordinance changes to allow more signage, the applicant's proposal may conform to the new standards. If the applicant's sign still does not conform to the new ordinance changes, or if the sign ordinance does not change, future changes after the time frame granted has expired must conform to the sign ordinance as stands.

#### **Staff Recommendation**

Move to authorize the alteration of the Benbrook Plaza multi-tenant pylon sign, as presented, with the following conditions:

- 1) Sign permits must be approved and issued prior to any alteration or business sign face changes;
- 2) Sign face replacements to add new businesses shall be permitted through December 2020, after which, all sign alterations must conform to the requirements of the zoning ordinance; and
- 3) Alterations shall not increase the level of non-conformity of the subject sign.

#### **Attachments:**

1. Applicant's Letter
2. Attachments 1 thru 4
3. Aerial Map
4. Applicable Ordinances